

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING - June 17, 1970

Appeal No. 10414 Wayne King, et al., appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried with Messrs. Scrivener and Hatton dissenting, the following Order of the Board was entered at the meeting of June 23, 1970.

EFFECTIVE DATE OF ORDER - March 3, 1971

ORDERED:

That the appeal for variance from the use provisions of the C-1 District to permit a body and fender work with an existing auto repair shop at 4451 Deane Avenue, N.E., lots 102 and 103 in Square 5129 be granted conditionally.

FINDINGS OF FACT:

1. The subject property is located in a C-1 District.
2. The subject property is presently being used as an auto repair shop.
3. Appellant proposes to perform body and fender work with existing auto repair shop.
4. Appellant alleged that the subject property has been used for body and fender work since 1952 under its previous owners.
5. No opposition was registered at the public hearing to the granting of this appeal.

OPINION:

We are of the opinion that appellant has failed to prove a hardship within the meaning of the variance clause of the Zoning Regulations. However, we conclude that this

use will not have an adverse affect upon the present character and future development of the neighborhood and will not substantially impair the purpose, intent, or integrity of the Zoning Regulations and Map.

This Order shall be subject to the following conditions:

- a. No neon or gas tube displays shall be located on the outside of the building nor shall any such displays, if placed inside the building, be visible from the outside.
- b. All body work and scrap must be done and kept on the inside of the existing enclosed service station bays.
- c. Any lighting used to illuminate the gasoline service station shall be so arranged that all direct rays of light are confined to the area of the site.
- d. No vehicular entrance or exit to the service station and no part of the service station itself shall be within 25 feet of a residential district.
- e. No entrance or exit drive walls shall be closer than 25 feet to a street intersection as measured from the intersection of the curb lines extended.
- f. All grease pits or hoists hereafter constructed or established as part of the gasoline service station shall be within a building.
- g. The coping shall be located on the property line and the inside driveway radii shall not be located within the sidewalk area.
- h. Permit shall not issue until all conditions of this Order are met and complied with and further, the Board reserves the right to direct revocation of permit upon proper showing that any terms or conditions of this Order have been violated.

Appeal No. 10414
Page 3
March 3, 1971

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: _____
Patrick E. Kelly
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF
SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR
OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS
WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF
THIS ORDER.